

No. 4895-4Lab-76/33171.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Haryana Refractories Private Limited, Plot No. 65-66, Sector 25, Ballabgarh.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No 93 of 1974

between

THE WORKMEN AND THE MANAGEMENT OF M/S. HARYANA REFRECTORIES
PRIVATE LIMITED, PLOT NO. 65-66, SECTOR 25, BALLABGARH.

AWARD

By order No. ID/FD/75/28893, dated 16th May, 1974, the Governor of Haryana, referred the following dispute between the management of M/s. Haryana Refractories Private Limited, Plot No. 65-66, Sector 25, Ballabgarh and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the grades and scales of pay of the workmen should be fixed ? If so, with what details ?

The parties put in their appearance in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following issues framed,—*vide* my order, dated 8th October, 1975 :—

- (1) Whether the demand has been espoused by a required number of workmen ? If not, to what effect ?
- (2) Whether the grades and scales of pay of the workmen should be fixed ? If so, with what details ?

Shri Chaman Lal authorised representative for the workmen made a statement before me on 10th May, 1976 when the case was fixed for recording evidence of the workmen that he had no instructions from the workmen and that he as such did not propose to pursue the demand leading to the reference.

In view of the aforesaid statement of Shri Chaman Lal hold that the workmen are not interested in pursuing the demand leading to the reference and there is now no dispute between the parties requiring adjudication. I, therefore, answer the reference while returning the award in terms of these findings.

Dated, the 12th May, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 604, dated the 13th May, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 13th May, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 4896-4Lab-76/33177.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Usha Rectifier Corporation (India) Limited, Faridabad.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD.

Reference No. 69 of 1976

between

THE WORKMEN AND THE MANAGEMENT OF M/S. USHA RECTIFIER CORPORATION
(INDIA) LIMITED, FARIDABAD.

AWARD

By order No. ID/FD/944-B-75/9266, dated 8th March, 1976, the Governor of Haryana, referred the following dispute between the management of M/s. Usha Rectifier Corporation (India) Limited, Faridabad and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the workmen working in the Chemical Section should be supplied with uniforms ? If so, with what details ?

The workmen and their authorised representative absented himself on 10th May, 1976 despite being served with the notice of reference through the General Secretary, Usha Rectifier Workers Union, Faridabad who had raised the demand on the management leading to the reference. Shri D. C. Bhardwaj, authorised representative for the workmen however put in his appearance on that date on behalf of the management. The absence of the workmen and his authorised representative on the date of hearing fixed despite service of notice of reference indicated that they were not interested in pursuing the demand leading to the reference and there is now no dispute between the parties requiring adjudication.

I hold accordingly and answer the reference while returning the award in these terms.

Dated the 12th May, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 603, dated 13th May, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 13th May, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 5882-4Lab-76/33141. In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Krishna Rice Mills, Ambala Cantt.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Misc. Application No. 19 of 1975 in reference No. 62 of 1972

between

SHRI GOKAL CHAND WORKMAN AND THE MANAGEMENT OF M/s KRISHANA
RICE MILLS, AMBALA CANTT

AWARD

By order No. ID/Amb/232-A-71/5821, dated 18th February, 1972, the Governor of Haryana, referred the following dispute between the management of M/s Krishana Rice Mills, Kuldip Nagar, Ambala Cantt and its workman Shri Gokal Chand to this Labour Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Gokal Chand was justified and in order? If not, to what relief is he entitled?

On consideration of the *ex parte* evidence led by the workman made an *ex parte* award, dated 17th September, 1975 that the termination of his services was unjustified and he was entitled to full back wages with effect from 1st June, 1971 with continuity of service. This award having been duly published, the management made an application on 12th November, 1975 praying for setting aside the award on the ground that their non-appearance on 15th September, 1975 was not intentional but was due to unavoidable reason. The workman resisted this application with a plea that the management wanted to prolong the disposal of the reference and the application made by them was *malafide* besides being barred by time and was liable to be dismissed.

Issues were framed and the case was fixed for recording the evidence of the management in support of their allegations for 19th May, 1976 when the parties made their statements before me in terms of the mutual amicable settlement arrived at by them while agreeing that the *ex parte* award shall be set aside and the workman having already received a sum of Rs. 1,500 in cash from the management in full and final settlement of all his claim against them including that of his reinstatement, he shall have now no further claim against them and that the demand raised by him on the management shall be deemed to have been satisfied.

I now therefore in terms of the statements of the parties referred to above set aside my *ex parte* award, dated 17th September, 1975 while accepting the application of the management made by them for that purpose and hold that the demand raised by the workman on the management leading to the reference has been fully satisfied and that there is now no dispute between the parties requiring adjudication.

I thus answer the reference revived on acceptance of the application of the management for setting aside the award and return a fresh award after setting aside the *ex parte* award, dated 17th September, 1975.

Dated the 7th June, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 1465, dated 14th June, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 4594-Lab-76/33187. - In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s. Jain Industrial Corporation, Hissar Road, Rohtak.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 32 of 1976

between

SHRI SUBHASH CHANDER, WORKMAN AND THE MANAGEMENT OF M/S. JAIN
INDUSTRIAL CORPORATION, HISSAR ROAD, ROHTAK.

AWARD

By order No. ID/RK/368-A-76/10601, dated 19th March, 1976, the Governor of Haryana, referred the following dispute between the management of M/s. Jain Industrial Corporation, Hissar Road, Rohtak and its workman Shri Sabhash Chander to this Labour Court, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

The parties put in their appearance in this Court in response to the usual notices of reference sent to them. They arrived at a mutual amicable settlement in respect of the dispute referred to this court and made their statements in accordance therewith.

I, therefore, in view of the statements of the parties, order that the workman shall be reinstated with effect from 3rd May, 1976 on the job held by him on the date of termination of his services, with continuity of service. He shall, however, be paid wages only for one month in respect of the period of his absence from duty after the date of termination of his services besides wages for the period he remained on duty before the termination of his services.

I, thus, answer the reference while returning the award in terms of these findings.

Dated, the 1st May, 1976.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1170, dated 4th May, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Chandigarh.

The 3rd December, 1976

No. 11649-4Lab-76/33064.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and management of M/s Auto Pins (India) Regd. Industrial Area, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 207 of 1976

between

SHRI RAM SUMARAN WORKMAN AND THE MANAGEMENT OF M/S AUTO PINS
(INDIA) REGD. INDUSTRIAL AREA, FARIDABAD.

AWARD

By order No. ID/FD/17-J-76/34545, dated 21st September, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Auto Pins (India) Regd. Industrial Area, Faridabad and its workman Shri Ram Sumaran, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Ram Sumaran was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference notices were issued to the parties for 28th October, 1976. On the date fixed the authorised representative of the management appeared but the workman or his representative did not appear. The representative of the management gave a statement that the dispute had been settled with the workman and the workman had received a sum of Rs. 521.50, as full and final settlement of his dues. The representative of the management filed Exhibit M. 1 which is memorandum of settlement and bears the signatures of the workman Exhibit M. 2 is the copy of the statement of accounts amounting to Rs. 521.50 regarding the dues of the workman. It include the receipt of the above-said sum by the workman. Exhibit M. 3 is the information to the Labour Commissioner, Haryana, Chandigarh that the settlement has been duly implemented and the payment had been made to the workman. Considering this evidence, I am satisfied that the workman had received all his dues against wages, etc., from the management in full and final settlement. I give my award as follows :—

That there is no dispute between the parties.

NATHU RAM SHARMA,

Dated, the 8th November, 1976.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 1232, dated the 8th November, 1976.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Dated, the 8th November, 1976.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.